

In Re Bennethum
Del. Supr., 161 A.2d 229 (1960),
Petition for Reargument denied, 162 A.2d 429 (1960)

Disciplinary Rules: DR 1-102(A)(3), Interpretive Guideline No. 3
to DR 1-102(A)(3).

Nature of Case:

Subsequent to an investigation of the Censor Committee, in response to a request from the Court, the Censor Committee filed with the Court a Final Report finding that:

- (1) Respondent failed to file State income tax returns for the six years (1950-1955) and had failed to pay State income tax due for those years;
- (2) Respondent failed to file Federal income tax returns for thirteen years (1942-1954) and had failed to pay Federal income tax due for those years; and,
- (3) Respondent had borrowed money from a client without security during the attorney-client relationship.

Action Taken by the Court:

The Court adopted the findings of the Censor Committee and further found that the Respondent, in denying the allegations against him, gave false testimony and offered fabricated evidence.

The Court ordered that the Respondent be disbarred and his name stricken from the roll of attorneys.